

**VILLAGE OF CROTON-ON-HUDSON**  
**Minutes of the Planning Board Meeting on**  
**February 24, 2015**

**PRESENT:** Rob Luntz  
Steve Krisky  
Rocco Mastronardi  
Janet Mainiero

**ABSENT:** Bruce Kauderer

Also Present: Daniel O'Connor, P.E., Village Engineer

**1. Call to order**

Chairman Luntz called the meeting to order at 8:05 p.m.

**2. PUBLIC HEARING**

*a) Lunden, Susan—118 Truesdale Drive (Se. 79.10-Blk. 1 Lot 3)— Application for Minor Site Plan approval, Tree Removal, Wetlands, and Excavation and Fill permits for construction of new single-family dwelling (public hearing continued)*

**PRESENT:** Susan Lunden, applicant; Ralph Mastromonaco, P.E., consulting engineer; and Megan Davis, assistant

**DISCUSSION:**

Chairman Luntz noted that the primary focus of discussion at tonight's meeting is to review the memo from the Water Control Commission. Mr. Mastromonaco provided a revised site plan in response to some of the comments made by the Water Control Commission (WCC).

The WCC memo refers to the lack of a storm water management plan for the proposed house construction. Mr. Mastromonaco explained that there is a flat area behind the house and it goes into a steep slope towards the river. Roof leaders, noted on the site plan, will direct the water to a level spreader system. This system will disburse the water so as not to channelize the flow. The proposed stone riprap below the steep section will also protect the soil from erosion. Chairman Luntz noted that some of details for the leaders, and spreader system could be worked out during the building permit process.

The WCC expressed concern about the protection of the river during the demolition process. Mr. Mastromonaco pointed out the hay bales and silt fence on the line of disturbance, but noted that in order to proceed with the demolition, they would have to get machinery below that line. Chairman Luntz noted that there was a chain link fence on the property that provides additional measure of protection.

The Village Engineer stated that the pre-demolition plan would include more detail on how the demolition is to be sequenced. Chairman Luntz agreed that the demolition sequencing could be handled in the field with the Village Engineer.

In addressing the WCC's recommendation that there be no vehicles in the buffer zone, Chairman Luntz and Mr. Mastronardi both agreed that this suggestion was too onerous on the homeowner, and it would not be fair to include a condition of no vehicles; however, Chairman Luntz recommended that the resolution include a condition that states that vehicles and mechanical equipment be minimized as much as possible to protect the river. Ms. Mainiero suggested that a second row of hay bales and silt fencing could also add extra protection without being too onerous.

After a discussion about the size of the tanks for the sewage pump station, the Planning Board agreed that a minimum of a 750-gallon overflow tank was a sufficient size. The Planning Board stated that the oil tank would be less disruptive in the basement but would require secondary containment. The Planning Board, given the size of the overflow tank, in response to the WCC's recommendation for a generator and propane tank, agreed that a generator and propane tank would be a good idea, but would not make it a condition of the resolution.

Mr. Mastromonaco explained that he had replaced three trees that were being removed with three new trees. Chairman Luntz explained that the Planning Board required a landscaping plan and the applicant must submit a landscape plan to the Planning Board. The Planning Board will then refer the landscaping plan to the WCC for its comments as the WCC requested, after which the Planning Board will also review it. Chairman Luntz recommended that the plan show other vegetation that will restore the buffer zone. The Planning Board noted that the certificate of occupancy would not be issued without the applicant's submission and the Planning Board's approval of the landscape plan.

The following conditions, in addition to those conditions already specified in the draft resolution, are to be added to the resolution:

1. That a second row of silt fencing and hay bales shall be installed and a temporary chain link fence be installed to provide additional protection;
2. That the vehicles and mechanical equipment be minimized in the buffer zone and that they are in good working condition;
3. That the new oil tank in basement must have secondary containment;
4. That a minimum 750-gallon overflow tank must be provided for the sewage pump station;
5. That the discharge from the downspouts is to be planned out with the Village Engineer to his satisfaction;
6. That there be provided a more detailed sequencing of demolition to protect the Croton River and buffer zone as much as possible prior to the demolition permit being issued;

7. That a landscape plan must be submitted to the Planning Board; the Planning Board will refer the plan to the Water Control Commission for its review, and then have the plan with comments return to the Planning Board for its review. Only after the Planning Board's approval can the certificate of occupancy for the house be issued.
8. That work shall begin after March 31<sup>st</sup> so as not to impact overwintering Bald eagles.

**PUBLIC HEARING CLOSED:**

Mr. Mastronardi made a motion to close the public hearing, seconded by Mr. Krisky, and carried, all in favor, by a vote of 4-0.

**MOTION:**

Mr. Mastronardi made a motion to approve the resolution, as amended, for the minor site plan, seconded by Ms. Mainiero, and carried, all in favor, by a vote of 4-0.

**2. MISCELLANEOUS ITEMS**

**a) DISCUSSION OF 1 BALTIC PLACE (zoning change amendment):**

The Village Engineer provided an update on the legal opinion given by Mr. Robert Davis, attorney for the applicant, regarding the note on the subdivision plat and included in the deed. Mr. Davis thought the note could be changed and the note in the deed could be changed. The Village Attorney agreed that the Planning Board does have the authority to require that the covenant could be lifted, but that Mr. Davis's comments didn't address the third party's issues with the note and covenant. The Village Attorney recommended that Mr. Davis delve into more detail with this issue and provide more information regarding this matter.

**MOTION:** Mr. Krisky made a motion that the Planning Board recommends that Mr. Bob Davis, attorney for the applicant, consult with the Village Attorney, Jim Staudt, about the third party issues that might arise with the note on the subdivision plat and in the covenant/deed of 1 Baltic Place, seconded by Mr. Mastronardi, and carried by a vote all in favor 4-0.

**b) DISCUSSION OF 3 ARROWCREST DRIVE (retaining wall):**

The Village Engineer stated that Tim Cronin, engineering consultant, had declined to review the retaining wall; Mr. Hilpert was supposed to reach out to another consulting engineer, but the Village Engineer does not know what the status of this is. He will reach out to Mr. Hilpert and inquire about the status.

**3. APPROVAL OF MINUTES**

Mr. Krisky made a motion to approve the minutes of February 10, 2015, as amended, seconded by Ms. Mainiero, carried all in favor by a vote of 4-0.

**4. ADJOURNMENT**

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There being no further business to come before the board, the meeting was duly adjourned at 9:40 p.m.

Respectfully submitted,

Ronnie L. Rose  
Secretary to the Planning Board